



State of New Jersey

Chris Christie
Governor

Kim Guadagno
Lt. Governor

Office of the Attorney General
Department of Law and Public Safety
Division of Gaming Enforcement
1300 Atlantic Avenue
Atlantic City, NJ 08401

Jeffery S. Chiesa
Attorney General

David L. Rebuck
Director

April 2, 2012

Mr. Joseph Corbo, Jr.
Vice President & General Counsel
Borgata Hotel Casino and Spa
1 Borgata Way
Atlantic City, NJ 08401

Dear Mr. Corbo:

The staff of the Division of Gaming Enforcement's Regulatory Enforcement Bureau has reviewed Petition # 0871202 filed by Marina District Development Company, LLC d/b/a Borgata Hotel Casino and Spa dated March 27, 2012. Borgata is seeking approval for amendments to its Certificate of Operation.

Borgata Hotel Casino and Spa is currently operating under the Certificate of Operation, which was approved in Petition # 2871102 on October 25, 2011, by the Division of Gaming Enforcement.

By Petition # 0871202, Borgata Hotel Casino and Spa is seeking approval to complete the following modifications to its casino room, as depicted on POP-22 dated January 24, 2011, prepared by R2Architects, David J. Rudzenski, AIA, License #08443 (Exhibit A):



(609) 292-9394

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The petitioner proposes the following:

POP-22

1. Pit # 1 - Remove two (2) tables and add two (2) tables.
2. Pit # 19 - Remove one (1) table and add one (1) table.
3. Slot Zone E - Add three (3) slot machines and stools.

The summary of the statistical calculations is as follows:

1. An increase of three (3) slot machines and three (3) slot stools. The total number of slot machines is **3,475** and the total number of slot stools is **3,475**.
2. No changes to the total number of table games; the total remains at **259**. The casino floor total remains at **184** table games and the simulcast total remains at **75** table games.
3. The total casino gaming area is not changed and will remain at one hundred sixty thousand two hundred eighty-seven (**160,287**) square feet. (casino floor **136,667sq ft** + simulcast **23,620sq ft** = total casino gaming area of **160,287 sq ft**).
4. Allowable Slot Area is 144,258 square feet. (160,287 square feet of casino space X 90% = 144,258)
5. Total Slots permitted is 14,425. (144,258/10 = 14,425)
6. Total Slot Area is 92,682 square feet or 58% of the total gaming area. (As Certified by Exhibit F)

Based on the Division's authority, the requested amendments to the Marina District Development Company, LLC d/b/a Borgata Hotel Casino and Spa (hereafter known as POP-22), Certificate of Operation as set forth above, are hereby granted pursuant to N.J.A.C. 13:69C-7.3, et seq. This approval authorizes a casino containing and consisting of: **160,287** square feet of

total gaming space, **259** table games, **3,475** slot machines and **3,475** slot stools as referenced in the petitioner's letter.

Please note that although the blueprint does not depict areas of the gaming floor as smoking and nonsmoking, the designation of smoking areas in casinos is subject to the jurisdiction of the NJ Department of Health and Senior Services and the Atlantic City Department of Health and Human Services, not the Division. Accordingly, this letter should in no way be construed as approving areas of the gaming floor for smoking.

This approval is subject to the following conditions:

- A. That the revised operational blueprints (POP-22), reflecting the changes approved herein, inclusive of any deficiencies noted, shall be submitted to the Division's Regulatory Enforcement Bureau, casino licensee's security podium and the casino licensee's CCTV monitoring room;
- B. That a revised Table Game Inventory list be submitted to the Division;
- C. That all steps, necessary and appropriate to ensure maximum patron comfort and safety during the period of renovation shall be taken;
- D. That the procedures detailed in the Slot Procedures Manual shall be followed during the movement of slot machines;
- E. That a revised Slot Master List shall be submitted to the Division;
- F. That the Borgata Hotel Casino and Spa shall notify the Division immediately in the event of any modification to the approvals granted herein;
- G. That the Borgata Hotel Casino and Spa shall comply with all requirements and conditions appended to approvals received from all involved agencies of government whose approvals are required in order for a Certificate of Occupancy for the general public to be issued including, but not limited to, the Department of Community Affairs and the local construction official;
- H. Any pit area that is currently operating under a TCO, and is remaining permanently in the same table configuration under this OP, shall continue to be allowed to operate in the same manner, but will be required to be inspected by the Division for final approval.
- I. Once modifications have been completed, a satisfactory inspection and approval by the Division is required to ensure the changes made conform to the petition. The review also includes, but is not limited to, an assessment of the adequacy of CCTV and security coverage. Such inspection must be done **prior to the proposed areas being used for gaming activity.**

Mr. Joseph Corbo, Jr., Esq
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To schedule an inspection, please contact the Division at inspections@njdge.org.

If you have any questions, please do not hesitate to contact Bill Kendzierski of my staff at 441-7557.

Sincerely,

A handwritten signature in black ink, appearing to read "Don Errera", with a long horizontal flourish extending to the right.

Don Errera, Deputy Chief
Regulatory Enforcement Bureau

CC:
RSH/DE
DGE Intake Unit
Charles Kimmel, DGE
Lisa Spengler, DGE
C-56-12-006